



Prisons (Substance Testing) Act 2021

2021 CHAPTER 18

1 Testing prisoners for psychoactive substances and other substances

- (1) Section 16A of the Prison Act 1952 (testing prisoners for drugs) is amended in accordance with this section.
- (2) In the title, after “drugs” insert “, psychoactive substances and other substances”.
- (3) In subsection (1), for “he has any drug in his body” substitute “the prisoner has in their body any—
 - (a) controlled drug,
 - (b) pharmacy medicine,
 - (c) prescription only medicine,
 - (d) psychoactive substance, or
 - (e) specified substance”.
- (4) After subsection (2) insert—

“(2A) The Secretary of State may use any prisoners’ samples to test, on an anonymised basis, for the prevalence of the following substances in prisons—
 - (a) controlled drugs,
 - (b) medicinal products,
 - (c) psychoactive substances, or
 - (d) specified substances.”
- (5) In subsection (3)—
 - (a) in the definition of “drug”—
 - (i) for ““drug” means” substitute ““controlled drug” means”;
 - (ii) omit “or specified drug”;
 - (b) after the definition of “intimate sample” insert—

““medicinal product” has the meaning given in regulation 2 of the Human Medicines Regulations 2012;
“pharmacy medicine” has the meaning given in regulation 8 of the Human Medicines Regulations 2012;

Status: This is the original version (as it was originally enacted).

- “prescription only medicine” has the meaning given in regulation 8 of the Human Medicines Regulations 2012;”;
- (c) after the definition of “prison rules” insert—
- ““prisoners’ samples” means any sample—
- (a) provided under subsection (1) or (2), or
- (b) provided by prisoners voluntarily;
- “psychoactive substance” has the same meaning as in the Psychoactive Substances Act 2016;”;
- (d) in the definition of “specified drug”, for ““specified drug” means” substitute ““specified substance” means”.